

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 721 OF 2006

Mr. Ismail Nazir Shakoore and anr. ..Applicants

Vs.

The State of Maharashtra and anr. ..Respondents

Mr. A.H.H. Ponda for applicants.

Mr. A.S. Shitole, APP for State.

Mr. H. Rehman i/by M/s. D.H. Law and Ass. for
respondent no.2.

CORAM: B.H. MARLAPALLE, J.

Date : July 06, 2007.

P.C.:

1. This application by the original accused invoking the inherent powers of this court under Section 482 of Cr.P.C. for directions to compound the offences, on the basis of the settlement arrived between the applicants and the respondent no.2-original complainant in the intervening period.

2. Shri Rajendra Punde, Constituted Attorney of the respondent no.2 has filed an affidavit and stated

that the applicants and the said respondent no.2 have entered into consent terms for settling all disputes amongst themselves in relation to refund of Security Deposit pertaining to the premises situate at "Jal-Darshan", Napean Sea Road, Mumbai - 400 026 and the consent terms have been filed in Summary Suit No. 303 of 2004. It is further stated in the said affidavit that the respondent-complainant has no objection if the proceedings are quashed by this court under Section 482 of Cr.P.C. in Criminal Complaint No. 281/SW/2005.

3. Hence the offence punishable under Sections 420 and 406 of IPC which is the subject matter of Criminal Complaint No. 281/SW/2005 is hereby allowed to be compounded and consequently the proceedings in the said case stand quashed.

(B.H. Marlapalle, J.)